



CDSS

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DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES

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ARNOLD SCHWARZENEGGER
GOVERNOR

August 12, 2009

Ana Pagan
Merced County Human Services Agency
2115 W. Wardrobe Ave
P.O. Box 112
Merced, CA 95341

Dear Ms. Pagan:

I want to take this opportunity to thank you and your staff for the cooperation and assistance provided the reviewer from our office during the course of the Civil Rights Compliance Review of Merced County. Enclosed is the final report on the review. I apologize for the delay in issuing the report.

There were some compliance issues (deficiencies) identified in the report, which will require the development of a corrective action plan (CAP). Please submit your CAP within sixty days of this letter. Please address each deficiency and include steps and time lines for the completion of all corrective actions and recommendations listed in the attached report.

We will provide a copy of our report to any individual who makes a Public Records Act (PRA) request. Our reports are considered public documents under the PRA. Once we approve your CAP, it too, becomes a public document. Per the Governor's Executive Order S-08-09, all compliance reviews (and corresponding CAPs) performed after January 2008 will be posted on the state's Reporting Government Transparency website.

If you need technical assistance in the development of your CAP, please feel free to contact the Civil Rights Bureau at (916) 654-2107 (voice) / (916) 654-2098 (TDD). You may also contact us by e-mail at crb@dss.ca.gov.

Sincerely,

RAMÓN S. LOPEZ, Chief
Civil Rights Bureau
Human Rights and Community Services Division

Enclosure

c: Kay Sverha, Civil Rights Coordinator

Chris Webb-Curtis, Branch Chief, CDSS Supplemental Nutrition Assistance Program
M.S. 8-9-32

Mike Papin, CDSS Supplemental Nutrition Assistance Program
Food Stamps Policy Bureau M.S. 8-9-32

Richard Trujillo, CDSS Supplemental Nutrition Assistance Program
Food Stamps Policy Bureau M.S. 8-9-32

Paul Gardes, CDSS Supplemental Nutrition Assistance Program
Food Stamps Policy Bureau M.S. 8-9-32

Thuan Nguyen, Refugee Programs Bureau, M.S. 8-8-46

Joe Torres, Office of Civil Rights
USDA Food and Nutrition Services
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USDA Food and Nutrition Services
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Hope Rios,
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Western Region

**CIVIL RIGHTS COMPLIANCE REVIEW REPORT
FOR
MERCED COUNTY HUMAN SERVICES AGENCY
Conducted
June 09 - 13, 2008**

**California Department of Social Services
Human Rights and Community Services Division
Civil Rights Bureau
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**Reviewer
Daniel Cervantes
&
Jaime Urquizo**

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CIVIL RIGHTS COMPLIANCE REVIEW REPORT

I. INTRODUCTION

The purpose of this review by the California Department of Social Services (CDSS) Civil Rights Bureau (CRB) staff was to assess the Merced County Human Services Agency with regard to its compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations, and other applicable state and federal civil rights laws.

An on-site compliance review was conducted June 09 - June 13, 2008. An exit interview was held on June 13 with Civil Rights Coordinator Kay Sverha and program managers to review the findings.

The review was conducted in the following locations:

Name of Facility	Address	Programs	Non-English languages spoken by a substantial number of clients (5% or more)
Social Services/ Employment Services/ Public Assistance	2115 W. Wardrobe Ave	Employment Services/ CalWORKS/ Food Stamps	Spanish, Hmong
Adult Services	2776 N. Highway 59	IHSS, APS	Spanish, Hmong
Fair Hearings	2926 G Street	Fair Hearings Office	N/A
Public Assistance Office (Livingston)	1471 B Street	CalWORKS, Food Stamps, Welfare to Work	Spanish, Hmong, Mien

II. SUMMARY OF METHODOLOGY

In preparing for this review, CDSS staff completed the following tasks:

- Reviewed the 2007-2008 Annual Civil Rights Plan submitted by the County.
- Reviewed the civil rights discrimination complaint database for a complete listing of complaints filed against the County for the last year.

Headquarters and on-site review procedures included:

- Interviews of public contact staff
- Survey of program managers
- Case file reviews
- Facility inspections

Each site/program was reviewed for compliance in the following areas:

- Dissemination of Information
- Facility Accessibility for Individuals with Disabilities
- Bilingual Staffing/Services for Non-English-Speaking Clients
- Accessibility for Clients with Visual or Hearing Impairments
- Documentation of Client Case Records
- Staff Development and Training
- Discrimination Complaint Procedures

Here is a summary of the sources of information used for the review:

Interviews Conducted of Public Contact Staff

Classifications	Total	Bilingual
Eligibility Workers	6	4
Children Social Workers	4	3
Adult Program Workers	4	3
Receptionist/Screeners	4	3
Total	18	13

Program Manager Surveys

Number of surveys distributed	4
Number of surveys received	4

Reviewed Case Files

English speakers' case files reviewed	5
Non-English or limited-English speakers' case files reviewed	47
Languages of clients' cases	English, Spanish, Hmong, Punjabi

Sections III through VIII of this report contain specific Division 21 civil rights requirements and present field review findings regarding the county's compliance with each requirement. The report format first summarizes each requirement, then the actual review team findings, including appropriate comparisons. This format is an effort to validate the application of policies and procedures contained in the annual plan. Required corrective actions are stated at the end of each section.

Section IX of the report is reserved for a declaration of overall compliance.

III. DISSEMINATION OF INFORMATION

Counties are required to disseminate information about program or program changes and about how applicants and recipients are protected by the CDSS regulations (Division 21). This dissemination should occur through outreach and information to all applicants, recipients, community organizations, and other interested persons, including non- and limited-English speakers and those with impaired hearing or vision or other disabling conditions.

A. Findings

Access to Services, Information and Outreach	Yes	No	Some-times	Comments
Does the county accommodate working clients by flexing their hours or allowing applications to be mailed in?	X			<p>Clients can apply using the C-4 Yourself (C4Y) 24 hours a day with internet access.</p> <p>Merced County offers extended hours at the Wardrobe Office location. This office remains open until 7:00 PM every Thursday.</p> <p>Adult and Children Services provides 24-hour emergency assistance.</p> <p>Other accommodations such as home visits to fill out applications can be made on a case-by-case basis.</p>
Can applicants access services when they cannot go to the office?	X			See comments above.
Does the county ensure the awareness of available services for individuals in remote areas?	X			The agency periodically conducts outreach events with other organizations throughout the county.

				The county also allocates advertising dollars to ensure the public is aware of the services the county has to offer.
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Signage, posters, pamphlets	Yes	No	Sometimes	Comments
Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub 13)? Is the pamphlet distributed and explained to each client at intake and re-certification?	X			Adult Programs: All of the workers interviewed give their clients the PUB 13, but only two workers explain it. Children's Services: Workers said that the PUB 13 is given at first contact. Only one of the workers said they "revisit" the PUB 13 after the initial contact.
Was the current version of Pub 13 available in English, Spanish, Lao, Vietnamese, Chinese, Hmong, Russian, Korean, Farsi, Arabic, Laotian, Tagalog, Armenian and Cambodian?	X			All required languages were available to the public. 2776 North Highway Office had a very good display of PUB 13s. It should be noted that not all initial contact staff knew the location of the PUB 13.
Was the Pub 13 available in large print, audiocassette and Braille?		X		The Livingston office did not have audio versions of the PUB 13. 2776 North Highway Office was able to provide all required PUB 13s.

Signage, posters, pamphlets	Yes	No	Sometimes	Comments
				<p>2115 West Wardrobe Office: CalWORKs reception area was not able to provide the audio PUB 13.</p> <p>The main lobby at West Wardrobe Office was able to provide the PUB 13, but they were not readily accessible by initial contact staff.</p>
Were the current versions of the required posters present in the lobbies?	X			
Did the workers know the location of the required posters with the Civil Rights Coordinator's name and address?		X		Only one of the receptionists knew where to locate the posters.
Were there instructional and directional signs posted in waiting areas and other places frequented by a substantial number of non-English-speaking clients translated into appropriate languages?		X		<p>At least one instructional and directional sign was not translated into that facility's non-English threshold languages.</p> <p>The office in Livingston did not have any of the signs translated into the threshold languages.</p>

B. Corrective Actions

Informational Element	Corrective Action Required
Distribution of CDSS' Pub 13	<p>Merced County shall ensure that the Pub 13 pamphlet, "Your Rights Under California Welfare Programs" is both given and explained to program participants in all of the programs for which CDSS has oversight responsibility.</p> <p>Div. 21-107.221</p>

Informational Element	Corrective Action Required
Translated Pub 13	Merced County shall ensure that the current version of the Pub 13 is available in all languages translated by CDSS and that the available translated versions are given to the clients in their primary language. Div. 21-115.2
Auxiliary aids	Merced County shall ensure the availability of large print, Braille, and auditory aids for participants in all of the programs for which CDSS has oversight responsibility. Div. 21-115.4
Directional signage	Merced County shall ensure that instructional and directional signs are posted in waiting areas and other places that are frequented by clients and that where such areas are frequented by a substantial number of non-English-speaking clients, such signage shall be translated into appropriate languages. Div. 21-107.212 and .24

C. Recommendation

The most recent version for each of the above referenced documents is:

Pub 13	"Your Rights under California Welfare Programs"	03/07
Pub 86	"Everyone is Different, but Equal Under the Law"	03/07
Form AD 475B	"And Justice for All"	12/99

Contact your program consultant to receive the most recent versions, or download the Pub 13 from the CRB website http://www.dss.cahwnet.gov/civilrights/YourRights_498.htm.

IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

The Americans with Disabilities Act (ADA) requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. The goal is to afford every individual the opportunity to benefit from the services available. The federal regulations require that architectural and communication barriers that are structural must be removed in public areas of existing facilities when their removal is readily achievable; in other words, easily accomplished and able to be carried out without much difficulty or expense.

The facility review is based on four priorities supported by the ADA regulations for planning achievable barrier removal projects. The priorities include ensuring accessible approach and entrance to the facility, access to goods and services, access to restrooms, and any other measures necessary.

Note that the references to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) in the Corrective Action column refer to the federal Standards for Design. Title 24 of California Code and Regulations (T24 CCR) is also cited because there are instances when California state law is stricter than ADAAG specifications.

The county must ensure that programs and activities are readily accessible to individuals with disabilities. This includes building accessibility and availability of accessible parking as well as accessibility of public telephones and restrooms.

A. Findings and Corrective Actions

Regulations cited are from the Title 24, California Code of Regulations (T24 CCR) and ADAAG.

Facility Location: 2115 W. Wardrobe (Main Lobby)

Facility Element	Findings	Corrective Action
Parking	No "Unauthorized Parking" sign at parking lot entrance	Additional sign shall be posted in conspicuous place at entrances to off-street parking facilities, or adjacent to and visible from each space. Sign shall be 17" by 22" min. in size with lettering 1" min. high, stating: "Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for persons with disabilities may be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____." (CA T24 1129B.5) p. 133
	Accessible parking spaces were too short at 17 feet long.	Length of parking space shall be at least 18' long, 9' wide. (CA T24 1129B.4.1) p. 135

	<p>Van Accessible parking space is not wide enough at 7 ½ feet wide.</p> <p>Handicap parking signage not clearly visible on pavement.</p> <p>The words "NO PARKING" not painted in access aisles.</p>	<p>Access aisle shall be 18' x 5' minimum for cars. (CA T24 1129B.4.1 & 2, ADA 4.6.3) p. 135</p> <p>Length of parking space shall be at least 18' long, 9' wide. (CA T24 1129B.4.1) p 135 Van access aisle shall be 18' x 8' minimum on passenger side. (CA T24 1129 B.4.1, ADA 4.6.3) p .135</p> <p>Pavement signage shall be 36" x 36" minimum, white on blue in color, visible and centered. (CA T24 1129B.5.1 & 2) p. 133</p> <p>The words "NO PARKING" shall be painted on the ground in each 5' or 8' loading and unloading access aisle in white letters no smaller than 12". (CA T24 1129B.4.1 & 2) p. 135</p>
Exterior entrance	No ISA sign at building's main entrance.	A sign with the international symbol of accessibility shall be at every primary entrance and every major junction indicating the direction along or to accessible features. (CA T24 1127B.3, ADA 4.1.3(16B), CA T24 1117B.5.8.1.2) pp. 183, 353
Restroom: Men's and Woman's	<p>No accessible signage on restroom doors.</p> <p>No accessible signage on wall adjacent to the latch side of restroom doors.</p>	<p>Door sign and wall sign shall be 60" above the floor.</p> <p>For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p. 263</p>

	Force to open restroom doors excessive at 11 lbs.	<p>Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p. 263</p> <p>Force to open doors, exterior and interior is 5 pounds maximum (CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p. 195</p>
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Recommendation

N/A

Facility Location: 2115 W. Wardrobe (Employment and Training wing)

Facility Element	Findings	Corrective Action
Parking	No "Unauthorized Parking" sign at parking lot entrance.	<p>Additional sign shall be posted in conspicuous place at entrances to off-street parking facilities, or adjacent to and visible from each space. Sign shall be 17" by 22" min. in size with lettering 1" min. high, stating: "Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for persons with disabilities may be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____." (CA T24 1129B.5) p. 133</p>

	Freestanding ISA sign height too low at 74 inches.	Sign height shall be 80" minimum from bottom of sign to top of finish grade. (CA T24 1129B.5, ADA 4.6.5) p 133 Wall signage shall be centered 36" minimum above grade, ground, or sidewalk at the interior end of space. (CA T24 1129B.5) p. 133
	Accessible spaces not wide enough at 7 feet.	Length of parking space shall be at least 18' long, 9' wide. (CA T24 1129B.4.1) p. 135
	Accessible parking spot not long enough at 16 feet, 7 inches.	Access aisle shall be 18' x 5' minimum for cars. (CA T24 1129B.4.1 & 2, ADA 4.6.3) p. 135
	Van Accessible spaces not long enough at 15 feet.	Length of parking space shall be at least 18' long, 9' wide. (CA T24 1129B.4.1) p. 135
	Van Accessible spaces not wide enough at 16 ft, 7 inches.	Van access aisle shall be 18' x 8' minimum on passenger side. (CA T24 1129 B.4.1, ADA 4.6.3) p. 135
	Handicap parking signage not clearly visible on pavement.	Pavement signage shall be 36" x 36" minimum, white on blue in color, visible and centered. (CA T24 1129B.5.1 & 2) p. 133
	The words "NO PARKING" not painted in access aisles.	The words "NO PARKING" shall be painted on the ground in each 5' or 8' loading and unloading access aisle in white letters no smaller than 12". (CA T24 1129B.4.1 & 2) p. 135

<p>*Exterior entrance</p> <p>Please see comments below</p>	<p>No accessible signage building's main entrance.</p> <p>Force to open doors excessive at 15 lbs.</p>	<p>A sign with the international symbol of accessibility shall be at every primary entrance and every major junction indicating the direction along or to accessible features. (CA T24 1127B.3, ADA 4.1.3(16B), CA T24 1117B.5.8.1.2) pp. 183, 353</p> <p>Force to open doors, exterior and interior is 5 pounds maximum (CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p. 195</p>
<p>Client lobby</p>	<p>No accessible counter in reception area.</p>	<p>Height of accessible tables or counters is between 28" – 34" from floor finish. (CA T24 1122B.4, ADA 4.32.4) p. 349</p>
<p>Restroom: Men's and Woman's</p>	<p>No accessible signage on restroom doors.</p>	<p>Door sign and wall sign shall be 60" above the floor.</p> <p>For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p. 263</p> <p>Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p. 263</p>

	Force to open men's and woman's restroom doors excessive at 13 lbs.	Force to open doors, exterior and interior is 5 pounds maximum (CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p. 195
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Comments:

The entrance to the Employment and Training office is not ADA accessible. The first door to enter the facility is out swinging. The second door is also out swinging. When both doors are open, there is only 22 inches of clearance. This does not allow for someone in a wheelchair and/or crutches easy accessibility to the office. Please see the picture and references below.



Wheelchair passage width: minimum clear width required for a single wheelchair is 32" at a point (e.g., at a door); and continuous length is 36" (at a corridor). (CA T24 1118B.1, ADA 4.2.1) .p 217

Wheelchair Turning Space is a minimum space for a wheelchair to turn 180 degrees in a 60" diameter or T-shaped space. (CA T24 1118B.3, ADA 4.2.3) p. 217

Facility Location: 2776 N. Highway

Facility Element	Findings	Corrective Action
Parking	<p>No "Unauthorized Parking" sign at parking lot entrance.</p> <p>The words "NO PARKING" not painted in access aisles.</p> <p>Access aisles do not connect to accessible path of travel to building's entrance.</p>	<p>Additional sign shall be posted in conspicuous place at entrances to off-street parking facilities, or adjacent to and visible from each space. Sign shall be 17" by 22" min. in size with lettering 1" min. high, stating: "Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for persons with disabilities may be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____." (CA T24 1129B.5) p. 133</p> <p>The words "NO PARKING" shall be painted on the ground in each 5' or 8' loading and unloading access aisle in white letters no smaller than 12". (CA T24 1129B.4.1 & 2) p. 135</p> <p>Access aisles (load and unload) must connect to the accessible path of travel, including curb cuts or ramps as needed (CA T24 1129B.4.3, ADA 4.6.3) p. 136</p> <p>Walkways minimum 48" (CA T24 1133B.7.1) p. 160</p>
Client lobby	Accessible counter was too high at 40.5 inches.	Height of accessible tables or counters is between 28" – 34" from floor finish. (CA T24 1122B.4, ADA 4.32.4) p. 349

Restroom	<p>Men's:</p> <p>No accessible signage on restroom door.</p> <p>Force to open restroom door excessive at 14 lbs.</p> <p>Toilet protector too high at 47 inches.</p> <p>Woman's:</p> <p>No accessible signage on restroom door.</p>	<p>Men's:</p> <p>Door sign and wall sign shall be 60" above the floor.</p> <p>For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p. 263</p> <p>Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p. 263</p> <p>Force to open doors, exterior and interior is 5 pounds maximum (CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p. 195</p> <p>If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". (CA-ACRM 1115B.9.2 and CA-ACRM 1115B.9.1.2, ADA 4.19.6) p. 269</p> <p>Woman's:</p> <p>Door sign and wall sign shall be 60" above the floor.</p> <p>..</p>
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		<p>For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p. 263</p> <p>Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p. 263</p>
	Force to open restroom door excessive at 15 lbs.	Force to open doors, exterior and interior is 5 pounds maximum (CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p. 195
	Toilet protector too high at 47 inches.	If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". (CA-ACRM 1115B.9.2 and CA-ACRM 1115B.9.1.2, ADA 4.19.6) p. 269

Recommendation

N/A

Facility Location: 2926 G Street (Fair Hearings)

Facility Element	Findings	Corrective Action
Parking	<p>No "Unauthorized Parking" sign and parking lot entrance.</p> <p>No Van Accessible parking space.</p> <p>The words "NO PARKING" not painted in access aisles.</p>	<p>Additional sign shall be posted in conspicuous place at entrances to off-street parking facilities, or adjacent to and visible from each space. Sign shall be 17" by 22" min. in size with lettering 1" min. high, stating: "Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for persons with disabilities may be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____. " (CA T24 1129B.5) p. 133</p> <p>One in every 8 accessible spaces (no fewer than 1) shall be designated van accessible. (CA T24 1129B.4.2, ADA 4.1.2(5)(b)) pp. 135, 136</p> <p>The words "NO PARKING" shall be painted on the ground in each 5' or 8' loading and unloading access aisle in white letters no smaller than 12". (CA T24 1129B.4.1 & 2) p. 135</p>
Exterior entrance	No accessible signage at building's entrance.	A sign with the international symbol of accessibility shall be at every primary entrance and every major junction indicating the direction along or to accessible features. (CA T24 1127B.3, ADA 4.1.3(16B), CA T24 1117B.5.8.1.2) pp. 183, 353

Client lobby	No accessible counter in reception area.	Height of accessible tables or counters is between 28" – 34" from floor finish. (CA T24 1122B.4, ADA 4.32.4) p. 349
Restroom	<p>Men's:</p> <p>No accessible signage on wall adjacent to the latch side of restroom door.</p> <p>Space in front of men's urinal too narrow at 27.5 inches.</p>	<p>Men's:</p> <p>Door sign and wall sign shall be 60" above the floor.</p> <p>For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p. 263</p> <p>Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p. 263</p> <p>Urinals: Where there are urinals provided, at least one (1) shall provide a clear floor space of 30" wide x 48" deep in front of the urinal to allow for a forward approach. This clear space may extend 6" maximum under the urinal if the urinal has a 9" minimum toe clearance from the floor to the urinal's bottom. (CA T24 1115B.9.4, ADA 4.18.3 & 4.22.5) p. 265</p>

	<p>Toilet protector too high at 47 inches.</p> <p>Base of restroom mirror too high at 47 inches.</p> <p>Paper towel dispenser too high at 43 inches.</p> <p>Woman's:</p> <p>No accessible signage on wall adjacent to the latch side of restroom door.</p> <p>Toilet protector too high at 59 inches.</p> <p>Base of restroom mirror too high at 47.5 inches.</p>	<p>If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". (CA-ACRM 1115B.9.2 and CA-ACRM 1115B.9.1.2, ADA 4.19.6) p. 269</p> <p>Woman's:</p> <p>Door sign and wall sign shall be 60" above the floor.</p> <p>For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p. 263</p> <p>Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p. 263</p> <p>If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". (CA-ACRM 1115B.9.2 and CA-ACRM 1115B.9.1.2, ADA 4.19.6) p. 269</p>
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B. Recommendation

N/A

Facility Location: 1471 B Street

Facility Element	Findings	Corrective Action
Parking (shared with neighboring businesses)	Please see comments below	
Exterior entrance	Force to open door excessive at 15 pounds.	Force to open doors, exterior and interior is 5 pounds maximum (CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p. 195
Restroom (Men's and Woman's)	Force to open door excessive at 15 pounds.	Force to open doors, exterior and interior is 5 pounds maximum (CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p. 195

Comments:

This facility does not have an "Unauthorized Parking" sign at the parking lot's entrance. It also does not display the free standing signs that designate handicap parking. Also, the words NO PARKING were missing in the access aisles. Accessible parking needs to be available to disable clients. Please see references below.

Additional sign shall be posted in conspicuous place at entrances to off-street parking facilities, or adjacent to and visible from each space. Sign shall be 17" by 22" min. in size with lettering 1" min. high, stating: "Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for persons with disabilities may be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____." (CA T24 1129B.5) p. 133

Sign height shall be 80" minimum from bottom of sign to top of finish grade. (CA T24 1129B.5, ADA 4.6.5) p 133

Wall signage shall be centered 36" minimum above grade, ground, or sidewalk at the interior end of space. (CA T24 1129B.5) p. 133

The words "NO PARKING" shall be painted on the ground in each 5' or 8' loading and unloading access aisle in white letters no smaller than 12". (CA T24 1129B.4.1 & 2) .p 135

The client interview rooms inside of the Livingston Office have various obstacles that do not allow each room to be wheelchair accessible. Interview rooms 1-4 do not meet the minimum 36 inch path of travel required for wheelchairs. Interview rooms 5 and 6 do meet the minimum ADA standards. If either or both of those rooms were designated as ADA accessible, the interview rooms would be deemed accessible.

V. PROVISION FOR SERVICES TO APPLICANTS AND RECIPIENTS WHO ARE NON-ENGLISH-SPEAKING OR WHO HAVE DISABILITIES

Counties are required by Division 21 to ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English-speaking population and individuals with disabilities without undue delays. Counties are required to collect data on primary language and ethnic origin of applicants/recipients (identification of primary language must be done by the applicant/recipient).

Using this information, a county may determine 1) the number of public contact staff necessary to provide bilingual services, 2) the manner in which they can best provide interpreter services without bilingual staff and 3) the language needs of individual applicants/recipients. Counties must employ an appropriate number of certified bilingual public contact employees in each program and/or location that serves a substantial number of non-English-speaking persons. In offices where bilingual staff are not required because non-English-speaking persons do not represent a substantial number, counties must provide effective bilingual services through interpreter or other means.

Counties must also provide auxiliary aids and services, including Braille material, taped text, qualified interpreters, large print materials, telecommunication devices for the deaf (TDD's), and other effective aids and services for persons with impaired hearing, speech, vision or manual skills. In addition, they must ensure that written materials be available in individuals' primary languages when the forms and materials are provided by CDSS, and that information inserted in notices of action (NOA) be in the individuals' primary language.

A. Findings from Program Manager Surveys, Staff Interviews and Case File Reviews

Question	Yes	No	Some-times	Comments
Does the county identify a client's language need upon first contact? How?	X			Front line staff use the I SPEAK cards if/when necessary. Also, there seemed to be an adequate number of bilingual staff in all reception areas visited.

Question	Yes	No	Some-times	Comments
Does the county use a primary language form?		X		The information is taken from the SAWS1 form filled out by the client and input into the C-IV system as required.
Does the client self-declare on this form?		X		See comments above
Are non-English- or limited- English-speaking clients provided bilingual services?	X			Bilingual workers are assigned to non-English speaking clients. When a bilingual worker cannot be assigned, the use of a language line, other bilingual employees, or other certified interpreters are used to achieve effective communication. Further, forms in English and Spanish are readily available online and in the office in various languages to accommodate the client's needs.
After it has been determined that the client is limited-English or non-English speaking, is there a county process for procuring an interpreter?	X			See comments above
Is there a delay in providing services?		X		
Does the county have a language line provider, a county interpreter list, or any other interpreter process?	X			There were an adequate number of bilingual workers at the offices visited. An interpreter list is available at the Personnel office.
Are county interpreters determined to be competent?	X			

Question	Yes	No	Some-times	Comments
Does the county have adequate interpreter services?	X			
Does the county allow minors to be interpreters? If so, under what circumstances?	X			Children social workers have used children in emergency situations.
Does the county allow the client to provide his or her own interpreter?	X			
Does the county ensure that the client-provided interpreter understands what is being interpreted for the client?	X			The worker explains to both parties that there is a possibility of ineffective communication.
Does the county use the CDSS-translated forms in the clients' primary languages?	X			There are cases in all of the office where case files reviewed were missing translated forms.
Is the information that is to be inserted into NOA translated into the client's primary language?	X			
Does the county provide auxiliary aids and services, TDD's and other effective aids and services for persons with impaired hearing, speech, vision or manual skills, including Braille material, taped text, large print materials (besides the Pub 13)?			X	Some of the offices visited did not have the PUB 13 in Braille, Audio tape and Large Print.

Question	Yes	No	Some-times	Comments
Does the county identify and assist the client who has learning disabilities or a client who cannot read or write?	X			
Does the county offer screening for learning disabilities?	X			
Is there an established process for offering screening?	X			Only available for English-speaking clients.

B. Corrective Actions

Area of Findings	Corrective Actions
Effective Services	Merced County must develop and implement a policy that identifies the process to ensure effective services to applicants and recipients who are non-English speaking or who have disabilities. Div. 21-115
Written Materials	Merced County must use and provide translated forms, to include translated notice of action forms, in the clients' primary languages when translated by CDSS. Div. 21-115.2
Auxiliary Aids	Merced County shall ensure the availability of auxiliary aids and services to persons who are deaf or hearing impaired, or persons with impaired speech, vision or manual skills where necessary to afford such persons an equal opportunity to access program services. Div 21-115.41

C. Recommendation

N/A

VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS

Counties are required to ensure that case records document applicant's/recipient's ethnic origin and primary language, the method used to provide bilingual services, information that identifies an applicant/recipient as disabled, and an applicant's/recipient's request for auxiliary aids and services.

A. Findings from Case File Reviews and Staff Interviews

Documented Item	Children's Services	Adult Programs	CalWORKs	Non-Assisted Food Stamps
Ethnic origin documentation	CWS/CMS	Case notes, Intake form 24-86 (Adult Services referral record)	C-IV	C-IV
Primary language documentation	CWS/CMS		C-IV, SAWS 1	C-IV
Method of providing bilingual services and documentation	Bilingual staff, certified interpreters, Documented in CWS/CMS	Intake form 24-86 (Adult Services referral record)	C-IV, case narrative	C-IV, case narrative
Client provided own interpreter	CWS/CMS	Case narrative	C-IV, case narrative	C-IV, case narrative
Method to inform client of potential problem using own interpreter	CWS/CMS	Case narrative	N/A	C-IV, case narrative
Release of information to Interpreter	N/A	N/A	N/A	N/A
Individual's acceptance or refusal of written material offered in primary language	CWS/CMS, case notes	None found	None found	None found

Documented Item	Children's Services	Adult Programs	CalWORKs	Non-Assisted Food Stamps
Documentation of minor used as interpreter	CWS/CMS	Case narrative	C-IV, case narrative	C-IV, case narrative
Documentation of circumstances for using minor interpreter temporarily	CWS/CMS	Case Narrative	C-IV, case narrative	C-IV, case narrative
Translated notice of actions (NOA) contain translated inserts	N/A	N/A	C-IV	C-IV
Method of identifying client's disability	CWS/CMS	Intake form 24-86 (Adult Services referral record)	C-IV, case narrative	C-IV, case narrative
Method of documenting a client's request for auxiliary aids and services	CWS/CMS	Intake form 24-86 (Adult Services referral record); case narrative	C-IV, case narrative	C-IV, case narrative

B. Corrective Actions

Areas of Action	Corrective Action
Documentation that bilingual services were provided	Document the method used to provide bilingual services, e.g., assigned worker is bilingual, other bilingual employee acted as interpreter, volunteer interpreter was used, or client provided interpreter. Div. 21-116.22
General	Merced County must ensure that proper documentation is kept in the file that identifies all the required elements to ensure compliance. Div. 21-116

C. Recommendation/Comments:

The county currently uses a template specifically designed to provide all of the necessary documentation in C-IV. For the most part, the employees seemed to use the template. Those that neglected to use the template were missing vital information. If the county can maintain regular, thorough use of the template, all civil rights requirements would be satisfied.

VII. STAFF DEVELOPMENT AND TRAINING

Counties are required to provide civil rights and cultural awareness training for all public contact employees, including familiarization with the discrimination complaint process and all other requirements of Division 21. The training should be included in orientation, as well as the continuing training programs.

A. Findings

Interview questions	Yes	No	Some-times	Comments
Do employees receive continued Division 21 Training?	X			According to the county's Annual Plan and the CRC, regular training is provided.
Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?		X		Three of the workers interviewed mentioned their supervisor would be the first contact if a complaint were to come in.
Does the county provide employees Cultural Awareness Training?	X			
Do the CSW's have an understanding of MEPA (Multi-Ethnic Placement Act)?	X			
Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area?	X			

B. Corrective Actions

Training Area	Corrective Action
Division 21, Civil Rights Training	Merced County shall ensure that employees receive Division 21 civil rights training at the time of orientation, as well as ongoing training to ensure that public contact staff has knowledge of Division 21, including familiarization with the discrimination complaint process. Div. 21-117.1

C. Recommendation

N/A

VIII. DISCRIMINATION COMPLAINT PROCEDURES

Counties are required to maintain a process for addressing all complaints of discrimination. They must track complaints of discrimination through the use of a control log in which all relevant information is kept, including when the complaint was received, the name of the complainant, identifying numbers and programs, basis of discrimination, and resolution. It is usually the Civil Rights Coordinator responsibility to maintain this log.

A. Findings from Staff Interviews and Program Manager Surveys

Interview and review areas	Yes	No	Some-times	Findings
Can the employees easily identify the difference between a program, discrimination, and a personnel complaint?		X		Some of the workers interviewed were not able to explain the difference between a program complaint and a personnel complaint.
Did the employees know who the Civil Rights Coordinator is?		X		Three workers were not able to name the current civil rights coordinator.
Did the employees know the location of the Civil Rights poster showing where the clients can file a discrimination complaint?			X	Workers at two of the locations reviewed were not aware that there are posters in the lobby.

Interview and review areas	Yes	No	Some-times	Findings
When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date?	X			

B. Corrective Action

Element	Corrective Action
Discrimination Process	Merced County shall ensure staff have knowledge of the discrimination complaint process and are able to differentiate it from other complaint processes. Div. 21-117 and 21-203
Civil Rights Coordinator	Merced County shall ensure that staff is knowledgeable regarding contact information of the civil rights coordinator, at minimum, where the information can be located. Div. 21-117 and 21-107.21

C. Recommendation

N/A

IX. CONCLUSION

The CDSS found the Merced County Human Services Agency was found to be in overall compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations, and other applicable state and federal civil rights laws.

Kay Sverha has a very interactive roll in training the staff of Merced County. According to Kay and the county's Annual Plan, regular training is provided to both staff and managers, but it does not seem to be displayed in the case files/interviews. Merced County is one of only four counties currently using the C-IV system. The template created to be used in the C-IV system creates a virtual error-proof way to avoid missing documentation, yet some workers do not use it.

The entrance to the Employment and Training Building is a issue that should be addressed immediately. The out-swinging double doors make it extremely difficult for people with disabilities to enter. The entrance should be updated to meet the minimum ADA standards.

Merced County must remedy the violations identified in this report by taking corrective actions. A corrective action plan must be received by CDSS within 60 days of the date of the cover letter to this report; and the plan must include a schedule by which all actions will be taken to correct the violations.

It is our intent that this report be used to create a positive interaction between the County and CDSS in identifying and correcting compliance violations and to provide the county with an opportunity to implement corrective action to achieve compliance with Division 21 regulations. Civil Rights staff is available to provide technical assistance as requested.